



General Assembly

January Session, 2001

Committee Bill No. 6432

LCO No. 5003

Referred to Committee on Human Services

Introduced by:
(HS)

**AN ACT PROMOTING ENROLLMENT IN THE HUSKY PLAN, PART A
AND PART B.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (a) of section 17b-261 of the general statutes is
2 repealed and the following is substituted in lieu thereof:

3 (a) Medical assistance shall be provided for any otherwise eligible
4 person whose income, including any available support from legally
5 liable relatives and the income of the person's spouse or dependent
6 child, is not more than one hundred forty-three per cent, pending
7 approval of a federal waiver applied for pursuant to subsection (d) of
8 this section, of the benefit amount paid to a person with no income
9 under the temporary family assistance program in the appropriate
10 region of residence and if such person is an institutionalized
11 individual as defined in Section 1917(c) of the Social Security Act, 42
12 USC 1396p(c), and has not made an assignment or transfer or other
13 disposition of property for less than fair market value for the purpose
14 of establishing eligibility for benefits or assistance under this section.
15 Any such disposition shall be treated in accordance with Section
16 1917(c) of the Social Security Act, 42 USC 1396p(c). Any disposition of

17 property made on behalf of an applicant or recipient or the spouse of
18 an applicant or recipient by a guardian, conservator, person
19 authorized to make such disposition pursuant to a power of attorney
20 or other person so authorized by law shall be attributed to such
21 applicant, recipient or spouse. A disposition of property ordered by a
22 court shall be evaluated in accordance with the standards applied to
23 any other such disposition for the purpose of determining eligibility.
24 The commissioner shall establish the standards for eligibility for
25 medical assistance at one hundred forty-three per cent of the benefit
26 amount paid to a family unit of equal size with no income under the
27 temporary family assistance program in the appropriate region of
28 residence, pending federal approval, except that the medical assistance
29 program shall provide coverage to persons under the age of nineteen
30 up to one hundred eighty-five per cent of the federal poverty level
31 without an asset limit. On and after [January] July 1, 2001, said medical
32 assistance program shall also provide coverage to (1) persons under
33 the age of nineteen and their parents and needy caretaker relatives
34 who qualify for coverage under Section 1931 of the Social Security Act
35 with family income up to one hundred [fifty] eighty-five per cent of
36 the federal poverty level without an asset limit, upon the request of
37 such a person or upon a redetermination of eligibility, and (2) pregnant
38 women with family income up to three hundred per cent of the federal
39 poverty level. Such levels shall be based on the regional differences in
40 such benefit amount, if applicable, unless such levels based on regional
41 differences are not in conformance with federal law. Any income in
42 excess of the applicable amounts shall be applied as may be required
43 by said federal law, and assistance shall be granted for the balance of
44 the cost of authorized medical assistance. All contracts entered into on
45 and after July 1, 1997, pursuant to this section shall include provisions
46 for collaboration of managed care organizations with the Healthy
47 Families Connecticut Program established pursuant to section 17a-56.
48 The Commissioner of Social Services shall provide applicants for
49 assistance under this section, at the time of application, with a written
50 statement advising them of the effect of an assignment or transfer or

51 other disposition of property on eligibility for benefits or assistance.

52 Sec. 2. Section 17b-277 of the general statutes is repealed and the
53 following is substituted in lieu thereof:

54 [(a) The Commissioner of Social Services shall provide, in
55 accordance with federal law and regulations, medical assistance under
56 the Medicaid program to needy pregnant women and children up to
57 one year of age whose families have an income up to one hundred
58 eighty-five per cent of the federal poverty level.]

59 [(b)] The [commissioner] Commissioner of Social Services shall
60 implement presumptive eligibility for appropriate applicants for the
61 Medicaid program with an emphasis on pregnant women. Such
62 presumptive eligibility determinations shall be in accordance with
63 applicable federal law and regulations. The commissioner shall
64 provide such presumptive eligibility determinations on a pilot basis, in
65 one district office, beginning June 1, 1991, and shall provide them
66 state-wide effective September 1, 1991.

67 Sec. 3. Subdivision (22) of section 17b-290 of the general statutes is
68 repealed and the following is substituted in lieu thereof:

69 (22) "Qualified entity" means [any entity: (A) Eligible for payments
70 under a state plan approved under Medicaid and which provides
71 medical services under the HUSKY Plan, Part A or is authorized to
72 determine eligibility of (i) a child to participate in a Head Start
73 program under the Head Start Act, (ii) a child to receive child care
74 services for which financial assistance is provided under the Child
75 Care and Development Block Grant Act of 1990, or (iii) a child to
76 receive assistance under WIC; and (B) that is determined by the
77 commissioner to be capable of making the determinations specified in
78 subparagraph (A) of this subdivision] qualified entity, as defined in 42
79 USC 1396r-1a, as amended by Section 708 of Public Law 106-554. The
80 commissioner shall provide qualified entities with such forms as are
81 necessary for an application to be made on behalf of a child under the

82 HUSKY Plan, Part A and information on how to assist parents,
83 guardians and other persons in completing and filing such forms.

84 Sec. 4. Subsection (h) of section 17b-292 of the general statutes is
85 repealed and the following is substituted in lieu thereof:

86 (h) The commissioner shall enter into a contract with an entity to be
87 a single point of entry servicer for applicants and enrollees under the
88 HUSKY Plan, Part A and Part B. The servicer shall jointly market both
89 Part A and Part B together as the HUSKY Plan. Such servicer shall
90 develop and implement public information and outreach activities
91 with community programs. Such servicer shall electronically transmit
92 data with respect to enrollment and disenrollment in the HUSKY Plan,
93 Part B to the commissioner who may transmit such data to the
94 Children's Health Council.

95 Sec. 5. Subsection (k) of section 17b-292 of the general statutes is
96 repealed and the following is substituted in lieu thereof:

97 (k) Not more than twelve months after the determination of
98 eligibility for benefits under the HUSKY Plan, Part A and Part B and
99 annually thereafter, the commissioner or the servicer, as the case may
100 be, shall determine if the child continues to be eligible for the plan. The
101 commissioner or the servicer shall mail [a] an application form to each
102 participant in the plan for the purposes of obtaining information to
103 make a determination on eligibility. To the extent permitted by federal
104 law, in determining eligibility for benefits under the HUSKY Plan, Part
105 A and Part B with respect to family income, the commissioner or the
106 servicer shall rely upon information provided in such form by the
107 participant unless the commissioner or the servicer has reason to
108 believe that such information is inaccurate or incomplete. To the extent
109 permitted by federal law, if the commissioner determines that a child
110 is no longer eligible for benefits under the HUSKY Plan, Part A due to
111 an increase in family income, such child shall remain eligible for such
112 benefits until the servicer determines eligibility for benefits under the
113 HUSKY Plan, Part B. The determination of eligibility shall be

114 coordinated with health plan open enrollment periods.

115 Sec. 6. Subsections (b) and (c) of section 17b-299 of the general
116 statutes are repealed and the following is substituted in lieu thereof:

117 (b) An application may be disapproved if it is determined that a
118 child to be covered under the HUSKY Plan, Part B was covered by an
119 employer-sponsored insurance within the last [six] two months. If the
120 commissioner determines that the time period specified in this
121 subsection is insufficient to effectively deter applicants or employers of
122 applicants from discontinuing employer-sponsored dependent
123 coverage for the purpose of participation in the HUSKY Plan, Part B,
124 the commissioner may extend such period for a maximum of an
125 additional [six] two months.

126 (c) An application may be approved in cases where prior employer-
127 sponsored coverage ended less than [six] two months prior to the
128 determination of eligibility for reasons unrelated to the availability of
129 the HUSKY Plan, Part B, including, but not limited to:

130 (1) Loss of employment due to factors other than voluntary
131 termination;

132 (2) Death of a parent;

133 (3) Change to a new employer that does not provide an option for
134 dependent coverage;

135 (4) Change of address so that no employer-sponsored coverage is
136 available;

137 (5) Discontinuation of health benefits to all employees of the
138 applicant's employer;

139 (6) Expiration of the coverage periods established by the
140 Consolidated Omnibus Budget Reconciliation Act of 1985, (P.L. 99-272)
141 as amended from time to time, (COBRA);

142 (7) Self-employment;

143 (8) Termination of health benefits due to a long-term disability;

144 (9) Termination of dependent coverage due to an extreme economic
145 hardship on the part of either the employee or the employer, as
146 determined by the commissioner; or

147 (10) Substantial reduction in either lifetime medical benefits or
148 benefit category available to an employee and dependents under an
149 employer's health care plan.

150 Sec. 7. (NEW) The Commissioner of Social Services shall seek a
151 waiver under Title XXI of the Social Security Act to authorize the use
152 of funds received under said title to promote the enrollment of
153 children in the HUSKY Plan who are eligible for benefits under other
154 income-based assistance programs including, but not limited to, free or
155 reduced school lunch programs.

156 Sec. 8. (NEW) (a) To the extent permitted by federal law, the
157 Commissioners of Social Services and Education shall jointly establish
158 procedures for the sharing of information contained in applications for
159 free and reduced price meals under the National School Lunch
160 Program for the purpose of determining whether children
161 participating in such program are eligible for coverage under the
162 HUSKY Plan, Part A and Part B. The Commissioner of Social Services
163 shall take all actions necessary to ensure that children identified as
164 eligible for the HUSKY Plan are able to enroll in such plan.

165 (b) The Commissioner of Social Services, in conjunction with the
166 Commissioners of Public Health and Education, shall establish
167 procedures whereby an individual may apply for the HUSKY Plan,
168 Part A or Part B, at the same time such individual applies for the
169 federal Special Supplemental Food Program for Women, Infants and
170 Children, the National School Lunch Program, the Head Start
171 programs or the child care subsidy program.

172 Sec. 9. (NEW) The Commissioner of Social Services, in determining
173 if an individual continues to be eligible for the HUSKY Plan, Part A or
174 Part B, shall determine whether such individual is a recipient of a child
175 care subsidy under section 17b-749 of the general statutes, food stamps
176 under the food stamp program pursuant to the Food Stamp Act of
177 1977 or benefits under any other program administered by the
178 Department of Social Services for the purpose of ascertaining whether
179 the department has information necessary for the redetermination of
180 eligibility under the HUSKY Plan. In the event such information is
181 available, the commissioner shall use such information in such
182 redetermination.

183 Sec. 10. This act shall take effect July 1, 2001.

HS

Joint Favorable C/R

APP